

BOROUGH OF KENILWORTH
ORDINANCE 2018-04

An Ordinance Amending Article V of Chapter 150
Entitled "Property Maintenance"

MUNICIPAL CODE OF THE BOROUGH OF KENILWORTH

Explanation: This amendment to this article increases the fee schedule to register property being foreclosed shall be consistent with the maximum fee schedule permitted under state law which is being utilized by adjoining Municipalities.

WHEREAS, the Borough of Kenilworth desires to be consistent with the fee schedule utilized by neighboring Municipalities as to avoid confusion.

NOW THEREFORE, Be it ordained by the Governing Body of the Borough of Kenilworth that Chapter 150 Section 5 of the Borough Code is amended as follows:

150-26.1(j) is replaced by:

(j) Fee Schedule

The initial registration fee under the provisions of this Section shall be five hundred dollars (\$500.00). The fee for the first years renewal shall be one thousand five hundred dollars (\$1,500.00). The fee for the second years renewal shall be three thousand dollars (\$3,000.00) and the fee for all additional renewals shall be five thousand dollars (\$5,000.00) per year.

150-26.2(b) is replaced by:

(b) The creditor shall be responsible for appointing an in state representative or agent to act for the foreclosing creditor. The in state representative shall be an individual residing in this state and shall provide his or her full name and address as part of the registration.

150-26.3 is being supplemented with a section (e) as follows:

(e) If a creditor fails to properly name a registered agent who resides in the State of New Jersey within thirty (30) days from the date creditor's Attorney is served with notice of the requirement to register, the Borough Attorney is authorized to file a motion in the Chancery Division seeking an Order restraining the creditor from proceeding with the sale of the property until such time as they have properly registered the foreclosed property and the creditor shall reimburse the Borough for all fees and costs incurred for any proceedings in the Superior Court.

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Severability

If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall continue in full force and effect, and to this end, the provisions of this Ordinance are hereby declared to be severable.

Effective Date

This Ordinance shall take effect twenty (20) days after the first publication thereof after final passage as provided by law.

Approved: _____

Anthony DeLuca, Mayor

INTRODUCTION						COUNCILPERSON	FINAL ADOPTION					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
		X				KAY CECERI			X			
	X	X				LARRY CLEMENTI			X			
		X				MARK DAVID		X	X			
		X				LINDA KARLOVITCH			X			
		X				GERRY LAUDATI						X
X		X				ROBERT SCHIELKE	X		X			
Introduced: March 28, 2018			I hereby certify the above ordinance was adopted by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey on the aforementioned date.									
Final Adoption: April 25, 2018			_____ Laura Reinertsen, Borough Clerk									